

**MARTHA J. PAYNE**  
Oregon #85239  
**Benesch Friedlander Coplan & Aronoff LLP**  
103 Coronado Shores, 225 Escondido  
Lincoln City, Oregon 97367  
Telephone: (541) 764-2859  
Facsimile: (216) 363-4588  
[mpayne@beneschlaw.com](mailto:mpayne@beneschlaw.com)

FILED 09 AUG 12 1234USDC-ORP

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**THOMAS M. PIKE,**

**CASE NO. 3:09-cv-760 AC**

**Plaintiff,**

**STIPULATION & ORDER**

**vs.**

**TRANSPORTS DU CAM PRO INC.,  
et al.**

**Defendants.**

**IT IS HEREBY STIPULATED AND AGREED** by and between the attorneys for plaintiff and the attorneys for Defendants Transports Du Cam Pro, Inc. and Jean Paul Racicot's (sometimes collectively referred to hereinafter as "Defendants") that the parties to this action have conferred and agreed that the Motion to Dismiss filed by the Defendants and the opposition and declaration thereto filed by the Plaintiff, along with all supporting exhibits and documentation are withdrawn without prejudice.

**IT IS FURTHER STIPULATED AND AGREED** that the subsequent service attempts made by the Plaintiff have resolved the jurisdictional issues raised in the Defendants' motion to dismiss.

**AGREED STIPULATION AND ORDER**

**IT IS FURTHER STIPULATED AND AGREED** that Defendants shall have two (2) weeks from the date of filing of the instant Stipulation and Order to serve and file an Answer in response to Plaintiff Thomas Pike's Complaint.

This stipulation may be filed without further notice with the Clerk of Court.

Dated this 3rd day of August, 2009.

/s/ Martha J. Payne

Martha J. Payne  
Oregon #85239  
Attorneys for Defendants  
**Benesch Friedlander**  
**Coplan & Aronoff LLP**  
103 Coronado Shores, 225 Escondido  
Lincoln City, Oregon 97367  
Telephone: (541) 764-2859  
Facsimile: (216) 363-4588  
[mpayne@beneschlaw.com](mailto:mpayne@beneschlaw.com)

/s/ Philip G. Arnold

Philip G. Arnold  
Oregon #080056  
Attorneys for Plaintiff  
**Rossi Cox Vucinovich**  
**Flaskamp, P.C.**  
10900 N.E. 8th Street, Suite 1122  
Bellevue, WA 98004  
Telephone: (425) 646-8003  
Facsimile: (425) 646-8004  
[parnold@rcvpc.com](mailto:parnold@rcvpc.com)

ORDERED:



John V. Acosta  
U.S. Magistrate Judge  
Dated: this 11th day of August, 2009

AGREED STIPULATION AND ORDER